

### **REMARKS**

In response to the final Official Action of November 24, 2009, claims 1, 15, and 26 have been amended in a manner which is believed to particularly point out and distinctly claim the invention. Support for the amendment to the independent claims is found in the original application as filed, including Figures 2a and 2b and the accompanying description in the specification, including page 12, line 1 and page 12, line 11 through page 13, line 4. No new matter is added.

Applicant's attorney would like to thank Examiner Phantana Angkool for his helpful comments after reviewing a proposed amendment e-mailed to Examiner Phantana Angkool on 28 January 2010.

### **Claim Rejections - 35 USC §103**

At section 6, claims 1-4, 6, 9-12, 14-20, 23-26, and 33-40 are rejected under 35 USC §103(a) as unpatentable in view of US patent application publication 2003/0184525, Tsai, in view of US patent 6,281,872, Cariffe, et al (hereinafter Cariffe).

With respect to claim 1, the Office asserts that Tsai discloses a method for changing an orientation of a user interface with the actions recited in claim 1, except that Tsai "does not explicitly disclose displaying a dragging element on said user interface, wherein said dragging element is independent of content displayed on said user interface and is displayed at a predetermined position on said user interface; wherein said course of motion comprises dragging said dragging element [from] said predetermined position at which said dragging element is displayed to another position on said user interface" (emphasis in quote).

The Office asserts that Cariffe teaches a dragging user element (element 168) displayed on a predetermined position that allows the user to adjust the angle of rotation of the image, citing Cariffe at column 3, lines 12-23 and Figure 2 (Figure 3 shows element 168). For the reasons set forth below, applicant respectfully disagrees with regard to amended claim 1.

As set forth in applicant's amendment filed on July 27, 2009, exemplary embodiments of the present invention pertain to changing an orientation of a user interface via a course of motion. This change in orientation is with regard to an image displayed on the user interface.

This is explained in the specification at page 12, line 23 through page 13, line 4. It is furthermore clear from the images shown in Figures 2a and 2b that the dragging element 5 is displayed on the user interface together with the image for which the orientation of the user interface is changed depending upon the detected course of motion of the dragging element, such as the course of motion shown by arrow 6 in Figure 2a and arrow 7 in Figure 2b. As is seen in these figures, the dragging element is independent of the image including the content of the image displayed on the user interface and is displayed at the same position, such as the upper right-hand portion of touch-screen 2 of mobile phone 1. In this manner, it is easy to recognize the dragging element, as well as easy to locate and move the dragging element. Introducing a dedicated dragging element for user interface rotation and confining this dragging element to a predetermined position on the user interface thereby combats unwanted change of the orientation of the display, because it is the selecting of the dragging element and dragging it on the display that causes the orientation of the user interface to change.

The Office asserts that Cariffe teaches a dragging user interface element displayed on a predetermined position that allows the user to adjust the angle of rotation of the image. Reference is made to slider bar 168 as shown in Figure 3 of Cariffe. As explained in Cariffe, slider bar 168 allows the current angle of rotation of the image of thumbwheel sketch 143 to be changed such that its axis 157 can be moved from its nominal vertical orientation as shown in Figure 3 to some other orientation, such as shown in Figure 7. If the mirroring attribute 147 is selected and the OK button 160 depressed, then the image is rotated about axis 157. Buttons 144, 145, and 146 provide for rotating the thumbnail sketch 143 which again allows the base image 141 to be changed if the OK button is selected.

From the description of Cariffe, it is therefore clear that the slider bar 168 provides for adjusting the orientation of the thumbnail sketch 143 which ultimately can provide for reorientation of the base image 141 upon selecting of the OK button 160. However, it is clear that slider bar 168, if it is considered to be a dragging element, is not a dragging element which is displayed on a user interface together with an image such that the orientation of said user interface for displaying the image is changed upon detecting the course of motion of the dragging element.

In summary, the slider bar 168 in Cariffe is separate and apart from the user interface which displays an image and is not displayed in the user interface together with the image. Rather, the slider bar is separated from base image 141, as well as thumbnail sketch 143, and thus does not make up for the deficiencies in Tsai with respect to amended claim 1. There is no suggestion of placing the slider bar in base image 141 or in thumbnail sketch 143, especially since it is used with other elements (buttons 144, 145, 146, mirror attribute select box 147, OK button 160, and CANCEL button 161) to control the orientation of base image 141.

It is therefore respectfully submitted that amended claim 1 is distinguished over Tsai in view of Cariffe.

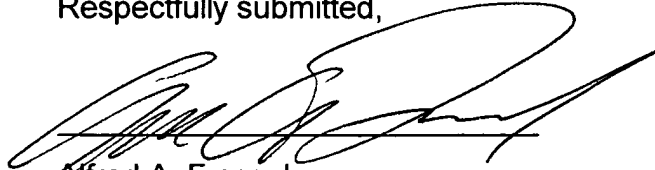
Independent claims 15 and 26 have been amended in a manner similar to claim 1 and therefore are also believed to be distinguished over Tsai in view of Cariffe.

Since each of the independent claims of the present application are believed to be allowable, it is respectfully submitted that dependent claims 2-4, 6, 9-12, 14, 16-20, 23-25, and 33-40 are also distinguished over Tsai in view of Cariffe at least in view of such dependency.

At section 7, claims 30 and 31 are rejected under 35 USC §103(a) as unpatentable over Tsai and Cariffe further in view of US patent 5,513,309, Meier, et al. Claims 30 and 31 respectively depend from amended claims 1 and 15 and are believed to be allowable at least in view of such dependency.

It is therefore respectfully submitted that the present application, as amended, is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Alfred A. Fressola', written over a horizontal line.

Alfred A. Fressola  
Attorney for Applicant  
Reg. No. 27,550

Dated: February 23, 2010

WARE, FRESSOLA, VAN DER SLUYS  
& ADOLPHSON LLP  
Bradford Green, Building Five  
755 Main Street, P.O. Box 224  
Monroe, CT 06468  
Telephone: (203) 261-1234  
Facsimile: (203) 261-5676  
USPTO Customer No. 004955